

REMARKS/ARGUMENTS

This paper is in response to the Office Action mailed June 24, 2009, in which claims 1-3 and 5-8 were pending. Claims 2-3 and 5-8 were objected to for being of improper dependent form. Claims 1-3 and 5-8 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Further, claims 1-3 and 5-8 were rejected under 35 U.S.C. § 103(a) as being obvious in view of the references cited by the Examiner. Applicants would like to thank the Examiner for the detailed comments provided with the aforementioned objections / rejections, all of which have been carefully considered by Applicants.

In the present response, Applicants have amended independent claim 1 for the Examiner's further consideration. Applicants have also provided remarks in connection therewith, which are fully responsive to all of the Examiner's objections / rejections. No new matter has been added by the claim amendments. Support for the amendment can be found at, for example, specification paragraphs [0002]-[0003]. Applicants therefore respectfully submit that the present application now stands in condition for allowance. Withdrawal of all objections and rejections, and a favorable response are requested.

Claim Objections

Claims 2, 3, and 5-8 are objected to under 37 CFR 1.75(c) as being of improper dependent form failing to further limit the subject matter of a previous claim.

However, Applicants direct the Examiner's attention to section 2173.05(h)(II) and (III), wherein claims using "alternative limitations" such as "or" or "optionally" are discussed. Applicants' claims fully comply with the requirements of this section. Furthermore, simply because a dependent claim is directed to less than all of the available options of the independent claim does not mean that the dependent claim "fails to limit the scope" of the independent claim. A limitation directed to a single option is a further limitation because it limits the scope of the choices available in the independent claim. *See* MPEP 608.01(n). Withdrawal of the objection, or a clarification of the Examiner's objection, is respectfully requested.

Claim Rejections – 35 U.S.C. § 112

Claims 1-3 and 5-8 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner has cited to the term “reputation management” as being indefinite.

In the Office Action, page 4, the Examiner has suggested that Applicants incorporate the descriptions provided in specification paragraphs [0002]-[0003] to better define the scope of the claim. Applicants agree with the Examiner’s suggestion, and have provided an appropriate amendment to claim 1. Therefore submit that, the indefiniteness rejection should be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 3, and 5 were rejected under 35 USC 103(a) as being unpatentable over Katz et al. (U.S. Patent Publication No. 2002/0174000) in view of Schneider (U.S. Patent No. 7,376,610).

Katz generally discloses a method for assisting a user with procurement decisions, sourcing decisions and strategic sourcing decisions in an enterprise is disclosed. The method implements a plurality of software modules in a logical workflow process based on the results of integrating and analyzing data. The workflow process provides a plurality of steps for discovering data, analyzing data, alerting the user about the data, recommending actions to the user based on the data, and executing those actions. The workflow process is based on a Value Chain Intelligence (VCI) system, which integrates and analyzes internal data from enterprises and external data from suppliers, catalogs, and marketplaces in real time for their impact on supply chains processes.

Schneider generally discloses a computer-implemented investment management process particularly in the field of high yield corporate bond financial market that consists of five distinct process phases. In a first phase, the financial market under evaluation is researched in order to obtain all the market business information necessary for the following market evaluation phases. In a following phase, the market business information obtained from the previous research phase are filtered in order to separate useful information from non-useful information. In the next

phase, the filtered business information at first is input to a subscoreing process and thereafter to a scoring process. Finally, the obtained evaluation results (scores) are presented to a user in form of a recommendation displayed on a monitor or printed in paper format.

Applicants submit that nothing in Katz or Schneider, either alone or in combination, teaches or suggests the limitations of the claims. Applicants therefore traverse the Examiner's rejection for at least the following reasons.

Claim 1:

In contrast to Katz and Schneider, claim 1 is directed to a "method of quantitative analysis of communication performance for reputation management, comprising: (i) performing a computerised set of at least two searches in a database or a network containing articles, each search comprising an object of interest related to said communication performance or objects to be compared to said object of interest, at least one search term to be searched in a publication and optionally one or more attributes concerning the publication itself; (ii) analyzing the at least two searches to produce a quantitative analysis related to said reputation management, wherein said quantitative analysis related to said reputation management is based on one or more of the following: counting articles obtained from the at least two searches, counting words in articles obtained from the at least two searches, counting mentions of a name in articles obtained from the at least two searches, and counting mentions of an issue in articles obtained from the at least two searches; and (iii) displaying the quantitative analysis as graphs."

Neither Katz nor Schneider teaches or suggests the factors upon which the "analysis related to said reputation management" is based as recited in amended claim 1. In particular, neither the "market business information" in Schneider nor the "discovered data" in Katz teach or suggest "counting articles obtained from the at least two searches." Rather, the "scoring" systems in each reference are directed specifically to the content of the respective "information" or "data." Furthermore, with regard to counting "words" or "names" or "issues" "in articles obtained from the at least two searches," neither Katz nor Schneider account for such considerations.

For example, Katz is generally directed to a method for assisting a user with procurement and sourcing decisions, and therefore the analysis disclosed in Katz relates to “products” from suppliers, catalogs, and other market-based sources. Thus, the types of “reputation management” information recited in amended claim 1 is not pertinent to Katz—and it is not disclosed therein. Further, Schneider is generally directed to a method for investment management, and therefore the analysis disclosed in Schneider relates to stocks, bonds, and other investment-based “data.” Thus, one skilled in the art would not have appreciated that “reputation management” information was among the “data resources” disclosed in Schneider.

Reputation management, and the considerations related thereto as described in the specification and as incorporated into the claims, as amended, is not related to the “procurement and sourcing” analysis of Schneider or the “investment” analysis of Katz. Thus, applicants submit that neither reference teaches or suggests “analyzing the at least two searches to produce a quantitative analysis related to said reputation management, wherein said quantitative analysis related to said reputation management is based on one or more of the following: counting articles obtained from the at least two searches, counting words in articles obtained from the at least two searches, counting mentions of a name in articles obtained from the at least two searches, and counting mentions of an issue in articles obtained from the at least two searches.” For these reasons, amended claim 1 is believed to be patentable over Katz and Schneider.

Claims 3 and 5:

Claims 3 and 5 depend from amended claim 1 and are believed to be patentable over Katz and Schneider for at least the reasons set forth above with respect to amended claim 1.

Claims 2 and 6-8:

Claims 2 and 6-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Katz et al. in view of Schneider, and further in view of Adler (U.S. Patent Publication No. 2002/0169658). Adler generally discloses a method for modeling and analyzing strategic business decision to help companies make informed strategic decisions in complex, rapidly changing market environments. Outcomes of candidate decisions are simulated over time, under different evolutionary scenarios that reflect assumptions about trends in a market and the overall

economy, and the likely behavior of individual businesses. Detailed analyses are then generated, both qualitative and quantitative, of the different outcomes, helping users to identify the decision option with the most attractive rewards and tolerable risks. Users may revisit prior decisions, by periodically updating models with current market data and refining behavioral assumptions based on observations.

Claims 2 and 6-8 depend from, and incorporate all of the limitations of, claim 1. Adler does not remedy the deficiencies of Katz and Schneider as discussed above with regard to amended claim 1. Specifically, again referring to the claimed “analyzing the at least two searches to produce a quantitative analysis related to said reputation management,” Adler involves a completely different kind of analysis which takes into account factors unique to that analysis—that is, “strategic business decisions.” Adler discloses references to mergers and acquisitions, creation / discontinuation of product lines, business units, production capacity, and legislative and political concerns – and the unique factors involved in providing an analysis related thereto. *See generally paras.* [0032]-[0052]. Adler, however, does not teach or suggest the claimed functionality of “analyzing the at least two searches to produce a quantitative analysis related to said reputation management, wherein said quantitative analysis related to said reputation management is based on one or more of the following: counting articles obtained from the at least two searches, counting words in articles obtained from the at least two searches, counting mentions of a name in articles obtained from the at least two searches, and counting mentions of an issue in articles obtained from the at least two searches.” Applicants therefore submit that claims 2 and 6-8 are patentable over the asserted combination of Katz, Schneider, and Adler.

New Claims 9-10

New claims 9-10 are directed to a method of quantitative analysis of communication performance of an entity including: conducting a computerized search of publications stored in one or more electronic databases or accessible via a computerized network to identify one or more publications relating to the entity; using a computer processor to assign each identified publication a quantitative weight value based upon attributes associated with the identified publication, wherein the attributes include the publication’s source and word length; using the

computer processor to analyze the identified publications and generate a quantitative analysis of the communication performance of the entity, wherein the quantitative analysis is based upon the number of identified publications, the word length of the identified articles, the weight values of the identified articles, and a number of mentions of the entity in each identified publication; and generating a graphic display of the quantitative analysis. Claim 10 further includes the storing financial data concerning the entity in an electronic database, wherein the stored financial data is used to generate the quantitative analysis of the communication performance of the entity.

The claimed combination of functions recited in claims 9 and 10 is not taught or suggested by the art of record, and therefore these claims are believed to be patentable over the art of record.

Conclusion


This application now stands in allowable form and reconsideration and allowance is respectfully requested.

This response is being submitted on or before September 24, 2009, making this a timely response. It is believe that no additional fees are due in connection with this filing. However, the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment and notify us of same, to Deposit Account No. 04-1420.

Respectfully submitted,

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